

Matthew G. Ball (SBN 20881)
Matthew.Ball@klgates.com
K&L GATES LLP
4 Embarcadero Ctr., Suite 1200
San Francisco, CA 94111
Telephone: (415) 882-8200
Facsimile: (415) 882-8220

Judith H. Ramseyer (admitted *pro hac vice*)
judy@ramseyerlaw.com
LAW OFFICES OF JUDITH H. RAMSEYER PLLC
2025 First Avenue, Suite 1150
Seattle, WA 98121
Telephone: (206) 728-6872
Facsimile: (206) 260-6689

Attorneys for Defendants
GENE HENSLEY, DAVID HERRICK,
JOHN HENLEY, PEGGY FRY, and
JOHN McCONNELL

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CLARKE and REBECCA WIXON and
NORMAN and BARBARA WIXON, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

WYNDHAM RESORT DEVELOPMENT
CORP (f/k/a Trendwest Resorts, Inc.), GENE
HENSLEY, DAVE HERRICK, JOHN
HENLEY, PEGGY FRY, JOHN
McCONNELL, and nominally,
WORLD MARK, THE CLUB,

Defendants.

No. C 07-02361 JSW

**STIPULATION AND [PROPOSED]
ORDER PERMITTING DIRECTOR
DEFENDANTS TO AMEND THEIR
ANSWER TO PLAINTIFFS' THIRD
AMENDED COMPLAINT**

1 IT IS HEREBY STIPULATED by and between Plaintiffs Clarke and Rebecca Wixon and
2 Norman and Barbara Wixon ("Plaintiffs"), and Defendants Gene Hensley, Dave Herrick, John
3 Henley, Peggy Fry, and John McConnell ("Director Defendants"), by and through their respective
4 counsel, that Director Defendants may amend their answer to Plaintiffs' Third Amended Complaint
5 pursuant to Federal Rule of Civil Procedure 15. By entering into this stipulation, Plaintiffs do not
6 waive but expressly reserve the right to move to strike or otherwise challenge the Amended Answer
7 as permitted by the Federal Rules of Civil Procedure.

8 The Amended Answer is attached hereto as Exhibit A and is deemed filed when this Court
9 grants the order below.

10 DATED this 17th of February, 2009.

11 K&L GATES LLP

GIRARD GIBBS LLP

12
13 By: /s/ Matthew G. Ball
14 Matthew G. Ball (SBN 208881)
15 matthew.ball@klgates.com

By: /s/Elizabeth C. Pritzker
Jonathan K. Levine
Elizabeth C. Pritzker

16 Judith H. Ramseyer (*admitted pro hac vice*)
17 judy@ramseyerlaw.com
18 Law Offices of Judith H. Ramseyer PLLC
19 2025 First Avenue, Suite 1150
20 Seattle, Washington, 98121
21 Telephone: (206) 728-6872;
22 Facsimile: (206) 260-6689

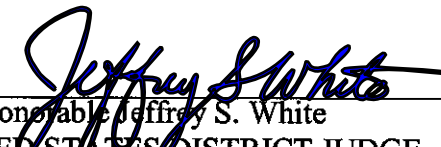
Attorneys for Individual and
Representative Plaintiffs Clarke and
Rebecca Wixon and Norm and
Barbara Wixon

23 Attorneys for Defendants Gene Hensley,
24 David Herrick, John Henley,
25 Peggy Fry, and John McConnell

26 **ORDER**

27 IT IS SO ORDERED.

28 DATED: February 17, 2009


The Honorable Jeffrey S. White
UNITED STATES DISTRICT JUDGE

The Director Defendants SHALL file a copy of the Amended Answer as a separate docket entry.